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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TINA MCKENZIE and MICHELLE ARGUEDAS,
Plaintiffs,

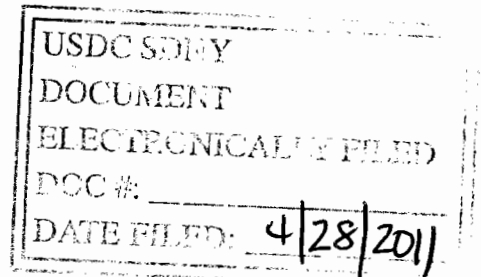
-against-

THE CITY OF NEW YORK, NYPD SERGEANT
DERRICK MILLIGAN (SHIELD #4735), NYPD
OFFICER DEWIN BENAVIDES (SHIELD #13541),

Defendants.
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**STIPULATION AND ORDER
OF SETTLEMENT AND
DISMISSAL**

10-CV-3234 (DLC)



WHEREAS, plaintiffs commenced this action by filing a complaint on or about April 16, 2010, alleging that defendants violated plaintiffs' federal and state civil rights; and

WHEREAS, defendants in this action have denied any and all liability arising out of plaintiffs' allegations; and

WHEREAS, the parties now desire to resolve the issues raised in this action without further proceedings and without admitting any fault or liability; and

WHEREAS, plaintiffs have authorized their counsel to settle this matter on the terms set forth below;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, as follows:

1. The above-referenced action, is hereby dismissed, with prejudice, and without costs, expenses, or fees in excess of the amount specified in paragraph "2" below.

2. The City of New York hereby agrees to pay plaintiff TINA MCKENZIE TWENTY THOUSAND (\$20,000) DOLLARS and plaintiff MICHELLE ARGUEDAS FOUR

THOUSAND FIVE HUNDRED (\$4,500) DOLLARS in full satisfaction of all claims inclusive of costs, expenses, and attorney's fees, brought by plaintiffs as against defendants. In consideration for the payment of this sum, plaintiffs agree to the dismissal with prejudice of all the claims against all the defendants, and to release all defendants and any present or former officials, employees, representatives, and agents of the City of New York or any agency thereof, from any and all liability, claims, or rights of action that were or could have been alleged in this action, including claims for costs, expenses and attorney's fees.

3. Plaintiffs shall execute and deliver to defendants' attorney all documents necessary to effect this settlement, including, without limitation, General Releases based on the terms of paragraph "2" above, and Affidavits of Status of Liens.

4. Nothing contained herein shall be deemed to be an admission by any of the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

5. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York, or any agency thereof.

6. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

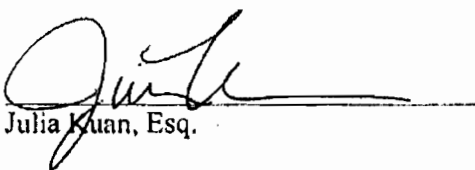
So ordered.

James C. Lee

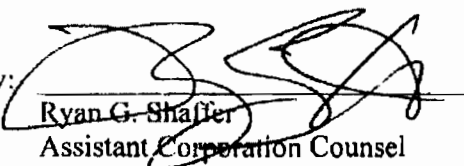
April 28, 2011

Dated: New York, New York
3/28, 2011

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By: 
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By: 
Ryan G. Shaffer
Assistant Corporation Counsel

SO ORDERED:

Denise L. Cote, U.S.D.J.

